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## Law, Literature, and Social Change: FOREWORD

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## SYMPOSIUM

### Law, Literature, and Social Change

#### FOREWORD

Interpreting the meaning of words, whether those words compose a precedent-setting case or a newly enacted statute, is an integral part of the law. Furthermore, the impact of legal texts clearly extends beyond the legal discipline and permeates all layers of society. But from where do we derive the meaning of words and texts? Is the text itself the source of meaning, or is the text an embodiment of a meaning, the source of which is society? What determines textual interpretations—the historical roots of the text itself, the historical gloss of prior interpretations, the private experiences that each new reader or writer brings to the text, or some combination of all these factors? Do words have the capacity to change society or does society shape the language used?

On March 16 and 17, 1990, Vanderbilt University School of Law and the Robert Penn Warren Center for the Humanities at Vanderbilt University sponsored a Symposium entitled "Law, Literature, and Social Change." The Symposium brought together leading theorists from law and the humanities to debate the role that the interpretation of texts plays in shaping our society. The presentations and responding commentary of the Symposium participants are set forth in this issue.

Several prominent themes recur throughout the following articles and comments. Martha Minow examines the effect that the languages

of the judiciary, the media, and popular literary culture have on family violence. She and G. Edward White each explore the dichotomy between the public and private self and the role of emotion in judicial decision making. Michael Ryan and Cornel West discuss the use of narrative interpretation in the contexts of political violence and political misrepresentation. Exploring the relationships between power, representation, and violence, Ryan argues that the prevailing representations of the dominant groups in society preclude the formation of alternate representations by minority interests. For West, the narrative character of legal interpretation establishes the lawyer as the guardian of a radical social history that preserves past progressive struggles, defends hard-won victories against the status quo, and awaits the next wave of radical action. These authors recognize the power of narrative to unsettle dominant social conventions and express the pain of those persons rendered powerless by their distance from judicial and political spheres.

Although this subject matter may be atypical for a law review, we believe that an interdisciplinary exchange of ideas can promote an understanding of the effects of language—both the words used and the interpretations of those words—in individual and societal contexts. These Symposium topics—ranging from the language of violence to the language of love letters, from an advocacy of constituency democracy to the preservation of past progressive struggles—may appear to the reader as fragments that cannot be pieced together to form a unified whole. In a previous article discussing law and literature, Sanford Levinson hoped for a future language of constitutional discourse that would be common to all society, but he noted that “for now we can only await its coming and make do with the fractured and fragmented discourse available to us.”<sup>1</sup> In the context of shaping social change, however, this very fragmentation provides an appropriate voice for the nontraditional sectors of society. The diversity of disciplines, theorists, and issues presented in this Symposium captures the richness of texture necessary to bring the fragmented voices of the powerless into the public domain and thus possibly begin to effect the social change advocated by these authors.

*Sharon A. Mattingly*  
Symposium Editor

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1. Levinson, *Law As Literature*, 60 *Tex. L. Rev.* 403 (1982).